

# EXHIBIT 6



1526 Gilpin Avenue  
Wilmington, Delaware 19806  
United States of America  
Tel: 302-449-9010  
Fax: 302-353-4251  
[www.devlinlawfirm.com](http://www.devlinlawfirm.com)

OCTOBER 25, 2021

Travis Jensen  
Orrick, Herrington & Sutcliffe LLP  
1000 Marsh Road  
Menlo Park, CA 94025-1015  
Telephone: (650) 614-7458  
Facsimile: (512) 263-2166  
[tjensen@orrick.com](mailto:tjensen@orrick.com)

Re: *Caddo Systems, Inc. Et al. V. Microchip Technology Incorporated*, C.A. No. 6:20-cv-00245-ADA (W.D. Tex.)

Travis,

We write in response to Microchip's October 15, 2021 letter ("Letter") regarding Caddo Systems Inc.'s and 511 Technologies Inc.'s ("Caddo") June 11, 2021 Final Infringement Contentions ("FICs"). Caddo addresses Microchip's concerns in its Letter below.

As stated in Caddo's October 1, 2021 letter ("October 1 Letter"), once again Microchip's alleged concerns regarding Caddo's FICs are not directed to whether Caddo has provided sufficient notice of its infringement theories, but rather to arguments about Microchip's non-infringement theories. But because Microchip does not dispute that it is on notice, nothing more is required. *See, e.g., Motion Games, LLC v. Nintendo Co., Ltd.*, No. 6:12-cv-878, 2015 WL 1774448, at \*2 (E. D. Tex. Apr. 16, 2015) ("Infringement contentions are not intended to act as a forum for argument about the substantive issues but rather serve the purpose of providing notice to the Defendants of infringement theories beyond the mere language of the patent claim").

Here, *for the first time* ever in this litigation and more than six months *after* the Court issued its claim construction order, Microchip raises issues pertaining to the meaning of the claim term "browse" in the '301 and the '836 patents. Microchip could have construed this term during claim construction but chose not to do so. Microchip has therefore waived all arguments regarding what the term "browse" should or should not mean. Also, Caddo maintains that Microchip's Accused Instrumentalities, redesigned or otherwise, still infringe the asserted claims of the '301 and '836 patents, as clearly set forth in Caddo's FICs.

**DEVLIN LAW FIRM**

October 25, 2021

Page 2 of 2

Caddo notes this is the second letter from Microchip which provides non-infringement arguments under the guise of disputing the sufficiency of Caddo's FICs. Caddo maintains it has sufficiently demonstrated its infringement theories in its FICs, and will not be withdrawing its asserted claims against Microchip's Accused Instrumentalities, redesigned or otherwise, in connection with the '301 and '836 patents.

\* \* \*

If Microchip prefers to meet and confer again on any of the issues identified herein, Caddo is available.

Sincerely,

/s/ Alex Chan

Alex Chan